

Region 4 - RA's Office

FEB 7 2019

Tel 205 257 0298
Fax 205 257 4349
scomensk@southernco.com

January 30, 2019

Received

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Ms. Mary S. Walker
Acting Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Re: Progress Report

Dear Ms. Walker:

In compliance with Paragraphs 65.1 and 66 of the Amended Consent Decree entered August 24, 2015, in *United States v. Alabama Power Co.*, Case No. 2:01-cv-00152-VEH¹ and to supplement its previous progress report, Alabama Power Company ("APC") submits the following progress report for the period ending December 31, 2018.

In compliance with Paragraph 34.1, APC is operating SCR technology on a year-round basis at Plant Gorgas Unit 10.

In compliance with Paragraph 35.1, APC is complying with a 30-Day Rolling Average NOx Emission Rate of 0.100 lb/mmBtu and with a 365-Day Rolling Average NOx Emission Rate of 0.220 lb/mmBtu at Plant Gorgas Unit 10. Also in compliance with Paragraph 35.1, the CEMS located in the Unit 10 duct work following the SCR and before the confluence with flue gas from Units 8 and 9 continues to be operated in accordance with the requirements of Paragraph 35.1.

In compliance with Paragraph 39.1, APC is combusting only natural gas in Plant Barry Unit 1 and Unit 2.

In compliance with Paragraph 39.1(i), APC is complying with a 30-Day Rolling Average NOx Emission Rate of 0.200 lb/mmBtu at the common duct/stack for Plant Barry Unit 1 and Unit 2. APC is operating its CEMS in accordance with the requirements of Paragraph 39.1(ii).

In compliance with Paragraph 39.2, APC is combusting only natural gas in Plant Greene County Unit 1 and Unit 2.

¹ The term "Amended Consent Decree" refers to the Partial Consent Decree, entered June 19, 2006, as amended by the Joint Stipulation To Modify Consent Decree, entered August 24, 2015 and the Order Modifying Consent Decree, entered August 24, 2015.

In compliance with Paragraph 39.2(i), APC is complying with a 30-Day Rolling Average NO_x Emission Rate of 0.280 lb/mmBtu at the common stack for Plant Greene County Unit 1 and Unit 2. APC is operating its CEMS in accordance with the requirements of Paragraph 39.2(i).

In compliance with Paragraph 39.2(ii), APC is complying with a total annual NO_x emission limitation of 4,790 tons per year for Plant Greene County Unit 1 and Unit 2. APC is operating its CEMS in accordance with the requirements of Paragraph 39.2(ii).

In compliance with Paragraph 41.1, APC is operating FGD technology on a year-round basis at Plant Gorgas Unit 8, Unit 9 and Unit 10.

In compliance with Paragraph 43.1, APC is complying with a 30-Day Rolling Average SO₂ Removal Efficiency of 95% at Plant Gorgas Unit 8, Unit 9 and Unit 10, calculated in accordance with the requirements of Paragraph 42.

This information was prepared either by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my evaluation, or the direction and my inquiry of the person(s) who manage the system, or the person(s) directly responsible for gathering the information, I hereby certify under penalty of law that, to the best of my knowledge and belief, this information is true, accurate, and complete. I understand that there are significant penalties for submitting false, inaccurate, or incomplete information to the United States.

Sincerely,



Susan B. Comensky
Vice President of Environmental Affairs

Courtesy Copy:

Mr. James Beers, DOJ

Mr. Phillip Brooks, EPA

Ms. Felicia Buck, AEC

Mr. Ron Gore, ADEM

January 30, 2019

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Ms. Mary S. Walker
Acting Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Re: **Mitigation Progress Report**

Dear Ms. Walker:

In compliance with Paragraph 60.2(iv) of the Amended Consent Decree entered August 24, 2015, in *United States v. Alabama Power Co.*, Case No. 2:01-cv-00152-VEH,¹ Alabama Power Company ("APC") submits the following progress report for the period ending December 31, 2018.

APC is investing in both project options available under Paragraph 60.2(i) and (ii) of the Amended Consent Decree.

Amounts Invested

- Installation of Electric Vehicle Supply Equipment ("EVSE"), commonly referred to as "Charging Stations": Pending internal review, the investment of approximately \$1,300,000 is completed.
- Installation of electric charging infrastructure for Birmingham Shuttlesworth International Airport ("BHM") to support electric ground support equipment ("eGSE") at BHM: Investment of \$106,426.00 completed.

For the BHM project, the Federal Aviation Administration awarded the Birmingham Airport Authority ("BAA") a VALE grant, Grant No. 3-01-0014-098-2015, which aided in funding the installation of twenty-seven (27) eGSE charging stations and related infrastructure at BHM. By check dated March 31, 2017, APC submitted to the BAA \$106,426.00 to be used as the local matching funds for this federal grant.

¹ The term "Amended Consent Decree" refers to the Partial Consent Decree, entered June 19, 2006, as amended by the Joint Stipulation To Modify Consent Decree, entered August 24, 2015 and the Order Modifying Consent Decree, entered August 24, 2015.

Number, Location, and Type of Equipment Installed

- EVSE: Attached is a chart detailing the number, location, and type of equipment installed to date ("Attachment A").
- BHM: By letter dated January 20, 2017, the BAA confirmed that installation of twenty-seven (27) eGSE charging stations and related equipment at BHM was completed on July 17, 2016.

Number, Location, and Type of Equipment Installations Planned for Future

- EVSE: In order to meet its obligations under the Amended Consent Decree, APC is continuing to implement a refined EVSE project to install charging stations at various locations.
- BHM: None at present.

Available Information on Current Usage of Installed Equipment

- EVSE: The available information on current usage of installed equipment, as it has been provided to us, can be found in Attachments B, C, and D. Because the usage information describes information that the Company and its customers maintain as confidential, the Company hereby designates the information contained in Attachments B, C, and D as Confidential Business Information and trade secrets pursuant to the Freedom of Information Act ("FOIA") Exemption 4, 5 U.S.C. § 552(b)(4), the Trade Secrets Act, 18 U.S.C. § 1905, and EPA's FOIA regulations at 40 C.F.R. Part 2.
- BHM: Currently, Delta Air Lines has six (6) electric vehicles in operation and Southwest Airlines has eight (8) in operation for a total of fourteen (14) at BHM. While there is no separate metering of the stations, the chargers are used daily with the vehicles typically being charged overnight.

This information was prepared either by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my evaluation, or the direction and my inquiry of the person(s) who manage the system, or the person(s) directly responsible for gathering the information, I hereby certify under penalty of law that, to the best of my knowledge and belief, this information is true, accurate, and complete. I understand that there are significant penalties for submitting false, inaccurate, or incomplete information to the United States.

Sincerely,



Susan B. Comensky
Vice President of Environmental Affairs

Attachments

Courtesy Copy:

Mr. James Beers, DOJ

Mr. Phillip Brooks, EPA

Ms. Felicia Buck, AEC

Mr. Ron Gore, ADEM

Attachment A

Company/Entity	Location	Number of Charging Stations Installed¹	Type of Equipment
Airbus Americas Inc.	Mobile, AL	4	ChargePoint, Model # CT4021-GW1
		4	ChargePoint, Model # CT4021
APC Division Office	Mobile, AL	4	ClipperCreek, Model # CS-100
APC Division Office	Montgomery, AL	4	ClipperCreek, Model # CS-100
Auburn University	Auburn, AL	14	ClipperCreek, Model # HCS-40R
Birmingham-Shuttlesworth International Airport	Birmingham, AL	9	ClipperCreek, Model # HCS-40R
Children's of Alabama	Birmingham, AL	8	ClipperCreek, Model # HCS-40R
Mercedes-Benz U.S. International, Inc.	Vance, AL	6	ChargePoint, Model # CT4021-GW1
		6	ChargePoint, Model # CT4021
Mobile Infirmary Medical Center	Mobile, AL	6	ClipperCreek, Model # HCS-40R
Montgomery Marriott Prattville Hotel & Convention Center at Capitol Hill	Prattville, AL	2	ClipperCreek, Model # HCS-40R

¹ Please note that each of the ChargePoint Model CT4021-GW1 and CT4021 is equipped with two charging ports allowing for two electric vehicles to be charged at a single pedestal, therefore the number listed under "number of charging stations installed" for Airbus Americas, Inc., Mercedes-Benz U.S. International, Inc., and Regions Financial Corporation, reflect this design.

Regions Financial Corporation	Birmingham, AL	4	ChargePoint, Model # CT4021-GW1
		4	ChargePoint, Model # CT4021
Renaissance Birmingham Ross Bridge Golf Resort & Spa	Birmingham, AL	2	ClipperCreek, Model # HCS-40R
Renaissance Montgomery Hotel & Spa at the Convention Center	Montgomery, AL	2	ClipperCreek, Model # HCS-40R
Samvardhana Motherson Peguform (SMP)	Cottondale, AL	8	ClipperCreek, Model # HCS-40R
Social Security Administration	Birmingham, AL	9	ClipperCreek, Model # HCS-40R
St. Vincent's Hospital	Birmingham, AL	8	ClipperCreek, Model # HCS-40R
The Battle House Renaissance Mobile Hotel & Spa	Mobile, AL	4	ClipperCreek, Model # HCS-40R
University of Alabama	Tuscaloosa, AL	14	ClipperCreek, Model # HCS-40R
University of Alabama at Birmingham	Birmingham, AL	16	ClipperCreek, Model # HCS-40R
University of Alabama at Birmingham, Collat School of Business	Birmingham, AL	2	ClipperCreek, Model # HCS-40R
VT Mobile Aerospace Engineering	Mobile, AL	5	ClipperCreek, Model # HCS-40R

Region 4 - RA's Office

JUL 31 2018

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July 23, 2018

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Trey Glenn
Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Re: **Progress Report**

Dear Administrator Glenn:

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In compliance with Paragraph 34.1, APC is operating SCR technology on a year-round basis at Plant Gorgas Unit 10.

In compliance with Paragraph 35.1, APC is complying with a 30-Day Rolling Average NOx Emission Rate of 0.100 lb/mmBtu and with a 365-Day Rolling Average NOx Emission Rate of 0.220 lb/mmBtu at Plant Gorgas Unit 10. Also in compliance with Paragraph 35.1, the CEMS located in the Unit 10 duct work following the SCR and before the confluence with flue gas from Units 8 and 9 continues to be operated in accordance with the requirements of Paragraph 35.1.

In compliance with Paragraph 39.1, APC is combusting only natural gas in Plant Barry Unit 1 and Unit 2.

In compliance with Paragraph 39.1(i), APC is complying with a 30-Day Rolling Average NOx Emission Rate of 0.200 lb/mmBtu at the common duct/stack for Plant Barry Unit 1 and Unit 2. APC is operating its CEMS in accordance with the requirements of Paragraph 39.1(ii).

In compliance with Paragraph 39.2, APC is combusting only natural gas in Plant Greene County Unit 1 and Unit 2.

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July 23, 2018

Page 2

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In compliance with Paragraph 39.2(ii), APC is complying with the total annual NO_x emission limitation of 4,790 tons per year for Plant Greene County Unit 1 and Unit 2. APC is operating its CEMS in accordance with the requirements of Paragraph 39.2(ii).

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In compliance with Paragraph 43.1, APC is complying with a 30-Day Rolling Average SO₂ Removal Efficiency of 95% at Plant Gorgas Unit 8, Unit 9 and Unit 10, calculated in accordance with the requirements of Paragraph 42.

This information was prepared either by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my evaluation, or the direction and my inquiry of the person(s) who manage the system, or the person(s) directly responsible for gathering the information, I hereby certify under penalty of law that, to the best of my knowledge and belief, this information is true, accurate, and complete. I understand that there are significant penalties for submitting false, inaccurate, or incomplete information to the United States.

Sincerely,



Susan B. Comensky
Vice President of Environmental Affairs

July 23, 2018

Page 3

Courtesy Copy:

Mr. James Beers, DOJ

Mr. Phillip Brooks, EPA

Ms. Felicia Buck, AEC

Mr. Ron Gore, ADEM

July 23, 2018

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Trey Glenn
Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Re: **Mitigation Progress Report and Notification of Additional One-Year Period**

Dear Mr. Glenn:

In compliance with Paragraph 60.2(iv) of the Amended Consent Decree entered August 24, 2015, in *United States v. Alabama Power Co.*, Case No. 2:01-cv-00152-VEH,¹ Alabama Power Company ("APC") submits the following progress report for the period ending June 30, 2018.

APC is investing in both project options available under Paragraph 60.2(i) and (ii) of the Amended Consent Decree.

Amounts Invested

- Installation of Electric Vehicle Supply Equipment ("EVSE"), commonly referred to as "Charging Stations": Pending final internal review, the investment of approximately \$1,300,000 is completed.
- Installation of electric charging infrastructure for Birmingham Shuttlesworth International Airport ("BHM") to support electric ground support equipment ("eGSE") at BHM: Investment of \$106,426.00 completed.

For the BHM project, the Federal Aviation Administration awarded the Birmingham Airport Authority ("BAA") a VALE grant, Grant No. 3-01-0014-098-2015, which aided in funding the installation of twenty-seven (27) eGSE charging stations and related infrastructure at BHM. By check dated March 31, 2017, APC submitted to the BAA \$106,426.00 to be used as the local matching funds for this federal grant.

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Number, Location, and Type of Equipment Installed

- EVSE: Attached is a chart detailing the number, location, and type of equipment installed to date ("Attachment A").
- BHM: By letter dated January 20, 2017, the BAA confirmed that installation of twenty-seven (27) eGSE charging stations and related equipment at BHM was completed on July 17, 2016.

Number, Location, and Type of Equipment Installations Planned for Future

- EVSE: In order to meet its obligations under the Amended Consent Decree, APC is continuing to implement a refined EVSE project to install charging stations at various workplace locations.
- BHM: None at present.

Available Information on Current Usage of Installed Equipment

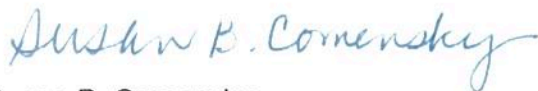
- EVSE: None available.
- BHM: Currently, both Delta Air Lines and Southwest Airlines have six electric vehicles in operation for a total of twelve at BHM. While there is no separate metering of the stations, the chargers are used daily with the vehicles typically being charged overnight.

Notification of Additional One-Year Period

Please note, pursuant to Paragraph 60.2 of the Amended Consent Decree, APC is claiming an additional period of one year to complete prudent investment of the designated \$1,500,000.

This information was prepared either by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my evaluation, or the direction and my inquiry of the person(s) who manage the system, or the person(s) directly responsible for gathering the information, I hereby certify under penalty of law that, to the best of my knowledge and belief, this information is true, accurate, and complete. I understand that there are significant penalties for submitting false, inaccurate, or incomplete information to the United States.

Sincerely,



Susan B. Comensky
Vice President of Environmental Affairs

Attachment

July 23, 2018

Page 3

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Mr. James Beers, DOJ

Mr. Phillip Brooks, EPA

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Attachment A

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Renaissance Birmingham Ross Bridge Golf Resort & Spa	Birmingham, AL	2	ClipperCreek, Model # HCS-40R
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University of Alabama	Tuscaloosa, AL	14	ClipperCreek, Model # HCS-40R
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VT Mobile Aerospace Engineering	Mobile, AL	5	ClipperCreek, Model # HCS-40R

Susan B. Comensky
Vice President
Environmental Affairs

600 North 18th Street
Post Office Box 2641
Birmingham, Alabama 35291

Tel 205.257.0298
Fax 205.257.4349

Jan



January 24, 2018

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Trey Glenn
Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Region 4 - RA's Office

JAN 29 2018

Received

Re: **Progress Report**

Dear Administrator Glenn:

In compliance with Paragraphs 65.1 and 66 of the Amended Consent Decree entered August 24, 2015, in *United States v. Alabama Power Co.*, Case No. 2:01-cv-00152-VEH¹ and to supplement its previous progress report, Alabama Power Company ("APC") submits the following progress report for the period ending December 31, 2017.

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In compliance with Paragraph 39.2, APC is combusting only natural gas in Plant Greene County Unit 1 and Unit 2.

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In compliance with Paragraph 39.2(i), APC is complying with a 30-Day Rolling Average NO_x Emission Rate of 0.280 lb/mmBtu at the common duct/stack for Plant Greene County Unit 1 and Unit 2. APC is operating its CEMS in accordance with the requirements of Paragraph 39.2(i).

In compliance with Paragraph 39.2(ii), APC is complying with a total annual NO_x emission limitation of 4,790 tons per year for Plant Greene County Unit 1 and Unit 2. APC is operating its CEMS in accordance with the requirements of Paragraph 39.2(ii). December 31, 2017 completed the first annual period subject to Paragraph 39.2(ii).

In compliance with Paragraph 41.1, APC is operating FGD technology on a year-round basis at Plant Gorgas Unit 8, Unit 9 and Unit 10.

In compliance with Paragraph 43.1, APC is complying with a 30-Day Rolling Average SO₂ Removal Efficiency of 95% at Plant Gorgas Unit 8, Unit 9 and Unit 10, calculated in accordance with the requirements of Paragraph 42.

This information was prepared either by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my evaluation, or the direction and my inquiry of the person(s) who manage the system, or the person(s) directly responsible for gathering the information, I hereby certify under penalty of law that, to the best of my knowledge and belief, this information is true, accurate, and complete. I understand that there are significant penalties for submitting false, inaccurate, or incomplete information to the United States.

Sincerely,



Susan B. Comensky
Vice President of Environmental Affairs

Courtesy Copy:
Mr. James Beers, DOJ
Mr. Phillip Brooks, EPA
Ms. Felicia Buck, AEC
Mr. Ron Gore, ADEM

Susan B. Comensky
Vice President
Environmental Affairs

600 North 18th Street
Post Office Box 2641
Birmingham, Alabama 35291

Tel 205.257.0298
Fax 205.257.4349



January 24, 2018

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Trey Glenn
Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Re: **Change of Recipient Notice**

Dear Mr. Glenn:

In compliance with Paragraph 107 of the Amended Consent Decree entered August 24, 2015, in *United States v. Alabama Power Co.*, Case No. 2:01-cv-00152-VEH, Alabama Power Company ("APC") submits this letter to notify you that Alexi B. Borden will replace Karl R. Moor, C. Grady Moore will replace Steven G. McKinney, and Katlyn S. Caldwell will replace R. Bruce Barze as counsel for APC and their contact information is as follows:

Alexia B. Borden
Senior Vice President & General Counsel
Alabama Power Company
600 North 18th Street
Birmingham, AL 35291
(205) 257-1817

C. Grady Moore
1901 Sixth Avenue North
Birmingham, AL 35203
(205) 251-8100

Katlyn S. Caldwell
1901 Sixth Avenue North
Birmingham, AL 35203
(205) 251-8100

January 24, 2018
Page 2

Also, please note that the July 25, 2016, Progress Reports gave notice that I was elected Alabama Power Company's Vice President of Environmental Affairs, succeeding Mr. Matthew W. Bowden.

Sincerely,

A handwritten signature in black ink that reads "Susan Comensky". The signature is written in a cursive style with a large, stylized "S" and "C".

Susan B. Comensky
Vice President of Environmental Affairs

Courtesy Copy:
Mr. James Beers, DOJ
Mr. Phillip Brooks, EPA
Ms. Felicia Buck, AEC
Mr. Ron Gore, ADEM

Susan B. Comensky
Vice President
Environmental Affairs

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Birmingham, Alabama 35291

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January 24, 2018

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APC plans to invest in both project options available under Paragraph 60.2(i) and (ii) of the Amended Consent Decree.

Amounts Invested

- Installation of Electric Vehicle Supply Equipment ("EVSE"), commonly referred to as "Charging Stations": Investment not yet begun.
- Installation of electric charging infrastructure for Birmingham Shuttlesworth International Airport ("BHM") to support electric ground support equipment ("eGSE") at BHM: Investment of \$106,426.00 completed.

For the BHM project, the Federal Aviation Administration awarded the Birmingham Airport Authority ("BAA") a VALE grant, Grant No. 3-01-0014-098-2015, which aided in funding the installation of twenty-seven (27) eGSE charging stations and related infrastructure at BHM. By check dated March 31, 2017, Alabama Power submitted to the BAA \$106,426.00 to be used as the local matching funds for this federal grant.

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Number, Location, and Type of Equipment Installed

- EVSE: Installation not yet begun.
- BHM: By letter dated January 20, 2017, the BAA confirmed that installation of twenty-seven (27) eGSE charging stations and related equipment at BHM was completed on July 17, 2016. Fifteen of the twenty-seven eGSE charging stations are located on concourse A to support Delta Air Lines operations and the remaining twelve are located on concourse C and support Southwest Airlines operations.

Number, Location, and Type of Equipment Installations Planned for Future

- EVSE: APC management has approved and is implementing a EVSE project to install charging stations at various locations to enhance electric vehicle commuting and usage. APC has presented contracts and begun negotiations with several partners in the greater Birmingham area and other areas throughout the state, including: Airbus, BBVA Compass, Mercedes-Benz of Tuscaloosa, Regions Bank, and Southern Research Institute, Inc.
- BHM: Discussions are ongoing regarding potential additional projects at BHM.

Available Information on Current Usage of Installed Equipment

- EVSE: None available.
- BHM: Currently, both Delta Air Lines and Southwest Airlines have six electric vehicles in operation for a total of twelve at BHM. While there is no separate metering of the stations, the chargers are used daily with the vehicles typically being charged overnight.

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Susan B. Comensky
Vice President
Environmental Affairs

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January 20, 2017

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Ms. Heather McTeer Toney
Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

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- Installation of Electric Vehicle Supply Equipment ("EVSE"), commonly referred to as "Charging Stations": Investment not yet begun.
- Installation of electric charging infrastructure for Birmingham Shuttlesworth International Airport ("BHM") to support electric ground support equipment ("eGSE") at BHM: Investment not yet begun.

For the BHM project, the Federal Aviation Administration has awarded the Birmingham Airport Authority ("BAA") a VALE grant, Grant No. 3-01-0014-098-2015, which aided in funding the installation of twenty-seven (27) eGSE charging stations and related infrastructure at BHM. On February 8, 2016, the BAA and Alabama Power signed a letter documenting Alabama Power's intent to invest \$106,426.00 in the BHM project as local matching funds. Construction is complete, and APC is awaiting documentation

¹ The term "Amended Consent Decree" refers to the Partial Consent Decree, entered June 19, 2006, as amended by the Joint Stipulation To Modify Consent Decree, entered August 24, 2015 and the Order Modifying Consent Decree, entered August 24, 2015.

from the BAA confirming such completion and requesting funding before submitting the agreed-upon investment to BAA.

Number, Location, and Type of Equipment Installed

- EVSE: Installation not yet begun.
- BHM: Installation is complete and operational. However, APC is awaiting documentation from the BAA to confirm such completion.

Number, Location, and Type of Equipment Installations Planned for Future

- EVSE: Not yet determined.

APC management has preliminarily approved and is implementing a refined EVSE project to install charging stations at various workplace locations so as to enhance electric vehicle commuting.

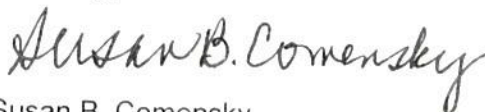
- BHM: Not yet verified. Awaiting completion documentation.

Available Information on Current Usage of Installed Equipment

- EVSE: None available.
- BHM: None available.

This information was prepared either by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my evaluation, or the direction and my inquiry of the person(s) who manage the system, or the person(s) directly responsible for gathering the information, I hereby certify under penalty of law that, to the best of my knowledge and belief, this information is true, accurate, and complete. I understand that there are significant penalties for submitting false, inaccurate, or incomplete information to the United States.

Sincerely,



Susan B. Comensky
Vice President of Environmental Affairs

Courtesy Copy:

Mr. James Beers, DOJ
Ms. Seema Kakade, EPA
Mr. Michael Churchman, AEC
Mr. Ron Gore, ADEM

Susan B. Comensky
Vice President
Environmental Affairs

600 North 18th Street
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Birmingham, Alabama 35291

Tel 205.257.0298
Fax 205.257.4349



January 20, 2017

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Ms. Heather McTeer Toney
Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Re: **Progress Report**

Dear Administrator Toney:

In compliance with Paragraphs 65.1 and 66 of the Amended Consent Decree entered August 24, 2015, in *United States v. Alabama Power Co.*, Case No. 2:01-cv-00152-VEH¹ and to supplement its previous progress report, Alabama Power Company ("APC") submits the following progress report for the period ending December 31, 2016.

In compliance with Paragraph 34.1, APC is operating SCR technology on a year-round basis at Plant Gorgas Unit 10.

In compliance with Paragraph 35.1, APC is complying with a 30-Day Rolling Average NOx Emission Rate of 0.100 lb/mmBtu at Plant Gorgas Unit 10. Also in compliance with Paragraph 35.1, the CEMS located in the Unit 10 duct work following the SCR and before the confluence with flue gas from Units 8 and 9 continues to be operated in accordance with the requirements of Paragraph 35.1.

In compliance with Paragraph 39.1, APC is combusting only natural gas in Plant Barry Unit 1 and Unit 2.

In compliance with Paragraph 39.1(i) and (ii), APC is complying with a 30-Day Rolling Average NOx Emission Rate at the common duct/stack for Plant Barry Unit 1 and Unit 2. Plant Barry reached its thirtieth operating day on December 14, 2016. APC is operating its CEMS in accordance with the requirements of Paragraph 39.1(ii).

In compliance with Paragraph 41.1, APC is operating FGD technology on a year-round basis at Plant Gorgas Unit 8, Unit 9 and Unit 10.

¹ The term "Amended Consent Decree" refers to the Partial Consent Decree, entered June 19, 2006, as amended by the Joint Stipulation To Modify Consent Decree, entered August 24, 2015 and the Order Modifying Consent Decree, entered August 24, 2015.

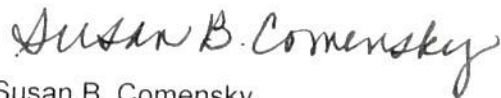
January 20, 2017

Page 2

In compliance with Paragraph 43.1, APC is complying with a 30-Day Rolling Average SO₂ Removal Efficiency of 95% at Plant Gorgas Unit 8, Unit 9 and Unit 10, calculated in accordance with the requirements of Paragraph 42.

This information was prepared either by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my evaluation, or the direction and my inquiry of the person(s) who manage the system, or the person(s) directly responsible for gathering the information, I hereby certify under penalty of law that, to the best of my knowledge and belief, this information is true, accurate, and complete. I understand that there are significant penalties for submitting false, inaccurate, or incomplete information to the United States.

Sincerely,

A handwritten signature in black ink that reads "Susan B. Comensky". The signature is written in a cursive style with a large, stylized 'S' and 'C'.

Susan B. Comensky
Vice President of Environmental Affairs

Courtesy Copy:

Mr. James Beers, DOJ
Ms. Seema Kakade, EPA
Mr. Michael Churchman, AEC
Mr. Ron Gore, ADEM

Susan B. Comensky
Vice President
Environmental Affairs

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Birmingham, Alabama 35291

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Fax 205 257 4349



July 13, 2017

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Ms. V. Anne Heard
Acting Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Re: **Mitigation Progress Report**

Dear Acting Administrator Heard:

In compliance with Paragraph 60.2(iv) of the Amended Consent Decree entered August 24, 2015, in *United States v. Alabama Power Co.*, Case No. 2:01-cv-00152-VEH,¹ Alabama Power Company ("APC") submits the following progress report for the period ending June 30, 2017.

APC plans to invest in both project options available under Paragraph 60.2(i) and (ii) of the Amended Consent Decree.

Amounts Invested

- Installation of Electric Vehicle Supply Equipment ("EVSE"), commonly referred to as "Charging Stations": Investment not yet begun.
- Installation of electric charging infrastructure for Birmingham Shuttlesworth International Airport ("BHM") to support electric ground support equipment ("eGSE") at BHM: Investment of \$106,426.00 completed.

For the BHM project, the Federal Aviation Administration awarded the Birmingham Airport Authority ("BAA") a VALE grant, Grant No. 3-01-0014-098-2015, which aided in funding the installation of twenty-seven (27) eGSE charging stations and related infrastructure at BHM. By

¹ The term "Amended Consent Decree" refers to the Partial Consent Decree, entered June 19, 2006, as amended by the Joint Stipulation To Modify Consent Decree, entered August 24, 2015 and the Order Modifying Consent Decree, entered August 24, 2015.

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check dated March 31, 2017, Alabama Power submitted to the BAA \$106,426.00 to be used as the local matching funds for this federal grant.

Number, Location, and Type of Equipment Installed

- EVSE: Installation not yet begun.
- BHM: By letter dated January 20, 2017, the BAA confirmed that installation of twenty-seven (27) eGSE charging stations and related equipment at BHM was completed on July 17, 2016.

Number, Location, and Type of Equipment Installations Planned for Future

- EVSE: Not yet determined.

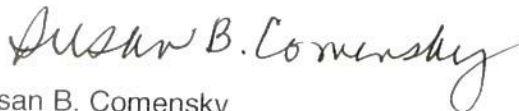
APC management has preliminarily approved and is implementing a refined EVSE project to install charging stations at various workplace locations so as to enhance electric vehicle commuting.
- BHM: None at present.

Available Information on Current Usage of Installed Equipment

- EVSE: None available.
- BHM: None available.

This information was prepared either by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my evaluation, or the direction and my inquiry of the person(s) who manage the system, or the person(s) directly responsible for gathering the information, I hereby certify under penalty of law that, to the best of my knowledge and belief, this information is true, accurate, and complete. I understand that there are significant penalties for submitting false, inaccurate, or incomplete information to the United States.

Sincerely,



Susan B. Comensky
Vice President
Environmental Affairs

cc: Mr. James Beers, DOJ
Ms. Seema Kakade, EPA
Ms. Felicia Buck, AEC
Mr. Ron Gore, ADEM

Susan B. Comensky
Vice President
Environmental Affairs

600 North 18th Street
Post Office Box 2641
Birmingham, Alabama 35291

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July 13, 2017

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Ms. V. Anne Heard
Acting Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Re: **Progress Report**

Dear Acting Administrator Heard:

In compliance with Paragraphs 65.1 and 66 of the Amended Consent Decree entered August 24, 2015, in *United States v. Alabama Power Co.*, Case No. 2:01-cv-00152-VEH¹ and to supplement its previous progress report, Alabama Power Company ("APC") submits the following progress report for the period ending June 30, 2017.

In compliance with Paragraph 34.1, APC is operating SCR technology on a year-round basis at Plant Gorgas Unit 10.

In compliance with Paragraph 35.1, APC is complying with a 30-Day Rolling Average NOx Emission Rate of 0.100 lb/mmBtu and with a 365-Day Rolling Average NOx Emission Rate of 0.220 lb/mmBtu at Plant Gorgas Unit 10. Plant Gorgas Unit 10 reached its three hundred and sixty fifth operating day on May 26, 2017. Also in compliance with Paragraph 35.1, the CEMS located in the Unit 10 duct work following the SCR and before the confluence with flue gas from Units 8 and 9 continues to be operated in accordance with the requirements of Paragraph 35.1.

In compliance with Paragraph 39.1, APC is combusting only natural gas in Plant Barry Unit 1 and Unit 2.

In compliance with Paragraph 39.1(i), APC is complying with a 30-Day Rolling Average NOx Emission Rate of 0.200 lb/mmBtu at the common duct/stack for Plant Barry Unit 1 and Unit 2. APC is operating its CEMS in accordance with the requirements of Paragraph 39.1(ii).

¹ The term "Amended Consent Decree" refers to the Partial Consent Decree, entered June 19, 2006, as amended by the Joint Stipulation To Modify Consent Decree, entered August 24, 2015 and the Order Modifying Consent Decree, entered August 24, 2015.

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July 13, 2017

Page 2

In compliance with Paragraph 39.2, APC is combusting only natural gas in Plant Greene County Unit 1 and Unit 2.

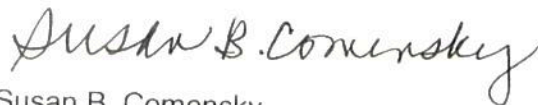
In compliance with Paragraph 39.2(i), APC is complying with a 30-Day Rolling Average NO_x Emission Rate of 0.280 lb/mmBtu at the common duct/stack for Plant Greene County Unit 1 and Unit 2. Plant Greene County reached its thirtieth operating day on January 30, 2017. APC is operating its CEMS in accordance with the requirements of Paragraph 39.2(ii).

In compliance with Paragraph 41.1, APC is operating FGD technology on a year-round basis at Plant Gorgas Unit 8, Unit 9 and Unit 10.

In compliance with Paragraph 43.1, APC is complying with a 30-Day Rolling Average SO₂ Removal Efficiency of 95% at Plant Gorgas Unit 8, Unit 9 and Unit 10, calculated in accordance with the requirements of Paragraph 42.

This information was prepared either by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my evaluation, or the direction and my inquiry of the person(s) who manage the system, or the person(s) directly responsible for gathering the information, I hereby certify under penalty of law that, to the best of my knowledge and belief, this information is true, accurate, and complete. I understand that there are significant penalties for submitting false, inaccurate, or incomplete information to the United States.

Sincerely,



Susan B. Comensky
Vice President
Environmental Affairs

cc: Mr. James Beers, DOJ
Ms. Seema Kakade, EPA
Ms. Felicia Buck, AEC
Mr. Ron Gore, ADEM

Matthew W. Bowden
Vice President
Environmental Affairs

600 North 18th Street
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Birmingham, Alabama 35291

Tel 205.257.4075
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January 22, 2016

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Ms. Heather McTeer Toney
Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Re: **Progress Report**

Dear Administrator Toney:

In compliance with Paragraphs 65.1 and 66 of the Amended Consent Decree entered August 24, 2015, in *United States v. Alabama Power Co.*, Case No. 2:01-cv-00152-VEH,¹ Alabama Power Company ("APC") submits the following progress report for the period ended December 31, 2015.

In compliance with Paragraph 39.1, beginning October 23, 2015, APC has combusted only natural gas in Plant Barry Unit 1 and Unit 2.

In compliance with Paragraph 39.1(i) and (ii), APC has begun compiling the first 30-Day Rolling Average NOx Emission Rate at the common duct/stack for Plant Barry Unit 1 and Unit 2. APC has operated its CEMS in accordance with the requirements of Paragraph 39.1(ii).

In compliance with Paragraph 60.1, on August 24, 2015, APC permanently retired Plant Barry Unit 3 and Plant Gorgas Unit 6 and Unit 7.

In compliance with Paragraph 61, on September 4, 2015, APC transferred \$100,000 by Electronic Funds Transfer ("EFT") in accordance with the instructions provided by the Financial Litigation Unit of the U.S. Attorney's Office for the Northern District of Alabama.

In compliance with Paragraph 101, APC is retaining and requiring its contractors to retain records and documents that directly relate to the company's performance of its obligations under the Amended Consent Decree.

¹ The term "Amended Consent Decree" refers to the Partial Consent Decree, entered June 19, 2006, as amended by the Joint Stipulation To Modify Consent Decree, entered August 24, 2015 and the Order Modifying Consent Decree, entered August 24, 2015.

This information was prepared either by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my evaluation, or the direction and my inquiry of the person(s) who manage the system, or the person(s) directly responsible for gathering the information, I hereby certify under penalty of law that, to the best of my knowledge and belief, this information is true, accurate, and complete. I understand that there are significant penalties for submitting false, inaccurate, or incomplete information to the United States.

Sincerely,

A handwritten signature in blue ink that reads "Matthew W. Bowden". The signature is written in a cursive style with a large, stylized 'M' and 'B'.

Matthew W. Bowden
Vice President Environmental Affairs

Courtesy Copy:

Mr. James Beers, DOJ
Ms. Seema Kakade, EPA
Mr. Michael Churchman, AEC
Mr. Ron Gore, ADEM

Matthew W. Bowden
Vice President
Environmental Affairs

600 North 18th Street
Post Office Box 2641
Birmingham, Alabama 35291

Tel 205.257.4075
Fax 205.257.4349



January 22, 2016

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Ms. Heather McTeer Toney
Regional Administrator
U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

Re: **Mitigation Progress Report**

Dear Administrator Toney:

In compliance with Paragraph 60.2(iv) of the Amended Consent Decree entered August 24, 2015, in *United States v. Alabama Power Co.*, Case No. 2:01-cv-00152-VEH,¹ Alabama Power Company ("APC") submits the following progress report for the period ended December 31, 2015.

APC plans to invest in both project options available under Paragraph 60.2(i) and (ii) of the Amended Consent Decree.

Amounts Invested

- Installation of Electric Vehicle Supply Equipment ("EVSE"), commonly referred to as "Charging Stations": Investment not yet begun.
- Installation of electric charging infrastructure for Birmingham Shuttlesworth International Airport ("BHM") to support electric ground support equipment ("eGSE") at BHM: Investment not yet begun.

Number, Location, and Type of Equipment Installed

- EVSE: Installation not yet begun.
- BHM: Installation not yet begun.

¹ The term "Amended Consent Decree" refers to the Partial Consent Decree, entered June 19, 2006, as amended by the Joint Stipulation To Modify Consent Decree, entered August 24, 2015 and the Order Modifying Consent Decree, entered August 24, 2015.

Number, Location, and Type of Equipment Installations Planned for Future

- EVSE: Not yet determined.

The EVSE project is currently going through APC's internal review and approval process. The project will involve placing charging stations at various locations, which at this time are undetermined.

- BHM: Not yet determined.

For the BHM project, the Federal Aviation Administration has awarded the Birmingham Airport Authority ("BAA") a VALE grant, Grant No. 3-01-0014-098-2015, which will aid in funding the installation of twenty-seven (27) eGSE charging stations and related infrastructure at BHM. BAA is in the bidding/contracting stage of the project. APC plans to provide local matching funds for the project.

Available Information on Current Usage of Installed Equipment

- EVSE: None available.
- BHM: None available.

This information was prepared either by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my evaluation, or the direction and my inquiry of the person(s) who manage the system, or the person(s) directly responsible for gathering the information, I hereby certify under penalty of law that, to the best of my knowledge and belief, this information is true, accurate, and complete. I understand that there are significant penalties for submitting false, inaccurate, or incomplete information to the United States.

Sincerely,



Matthew W. Bowden
Vice President Environmental Affairs

Courtesy Copy:

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Mr. Ron Gore, ADEM